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Response to Restriction Requirement
Applicant(s): Presnell and Kindsvogel
Serial No.: 09/746,375
Filed: December 22, 2000
For: NOVEL CYTOKINE ZCYTO18

September 1, 2002 which, since it falls on a weekend, is rightfully submitted on September 3, 2002. Applicants respectfully request consideration of the following remarks.

REMARKS

The Office Action sets forth a restriction requirement under 35 USC §121. Applicants were requested to elect one of twelve designated groups as briefly noted below:

I. Claims 1-11 and 14, drawn to polynucleotides encoding ZYCTO18 protein, vectors, host cells and a method for producing a polypeptide recombinantly, classified in class 536, subclass 23.5, class 435, subclasses 320.1, 252.3 and 69.1, for example.

II. Claims 12 and 13, drawn to ZCYTO18 polypeptides, classified in class 530, subclass 350.

III. Claims 15-18, drawn to antibodies to ZYCTO18 and methods of making antibodies, classified in class 530, subclass 388.22, for example.

IV. Claims 19-20, drawn to a method of screening for antagonists or agonists of ZYCTO18, classified in class 435, subclass 7.1.

V. Claims 21, 23 and 28, drawn to methods of screening for a genetic abnormality, cancer or inflammation by nucleic acid hybridization, classified in class 435, subclass 6.

VI. Claims 22 and 27, drawn to methods of detecting cancer or inflammation by antibody-protein binding, classified in class 436, subclass 501, for example.

VII. Claims 24-26, drawn to a method of treatment by administration of ZCYTO18 polypeptide, classified in class 514, subclass 2.

In response to the Restriction Requirement mailed March 1, 2002, Applicants elect Group V, Claims 21, 23 and 28, drawn to methods of screening for a genetic abnormality, cancer, or inflammation by nucleic acid hybridization, classified in class 435, subclass 6. Claims 1-20, 22 and 24-27 are withdrawn from the case. However, Applicants reserve the right to pursue examination of the non-elected claims in continuation or divisional applications.

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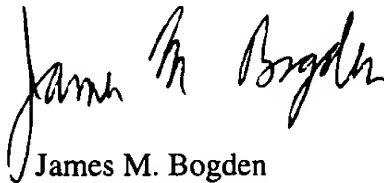
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Early reconsideration and allowance of the pending claims are respectfully requested. If the Patent Examiner believes that a telephone interview would expedite prosecution of this patent application, please call the undersigned at (206) 442-6568.

Respectfully Submitted,

Presnell and Kindsvogel



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Attorney for Applicants
Registration No. 32,962

Enclosures:

Response to Restriction Requirement

Power of Attorney

Petition and Fee for 5 Month Extension of Time (in duplicate)

Postcard